



MEMO ENDORSED

July 7, 2008

VIA FACSIMILE

Hon. Naomi R. Buchwald
U.S. District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 2270
New York, NY 10007



Re: *Ore et al. v. Thelonius Records, Inc. et al.*, 07 CIV 10681 (NRB)(MHD)

Dear Judge Buchwald:

I represent plaintiffs Robin and Francis M. Dunlop in the above-referenced suit. Pursuant to Your Honor's request during the initial pretrial conference on May 6, 2008, and Your Honor's grant of an extension of time for the parties to exchange and review information before reporting on the status of settlement discussions, I write concerning such status in this action.

At Plaintiffs' request, Defendants are gathering further information concerning sales of the live musical recordings at issue in this litigation, including a request to produce a list of all unreleased recordings in Defendants' possession or control that contain performances by Plaintiffs John Ore and Francis M. Dunlop. Moreover, Defendants are preparing further clarification and a comprehensive list concerning the unreleased recordings.

The parties were originally scheduled to report back to Your Honor on the status of settlement discussions today. However, based on the pending exchange of additional information, Plaintiffs respectfully request that Your Honor allow for an additional thirty (30) days for the parties to complete the exchange of information. Defendants' counsel has consented to this request. This is the second request for extension.

Respectfully submitted,

Patrick T. Perkins

cc: Robert W. Clarida, Esq. - Defendants' counsel (by electronic mail)
Natasha N. Reed - Plaintiff John Ores' counsel (by electronic mail)

Application
granted
So
Ordered.
Naomi R. Buchwald
7/9/08

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1711 ROUTE 9D COLD SPRING, NEW YORK 10516
T (845) 266-2820 F (845) 266-2819
PPERKINS@PTPLAW.COM